

# UNITED STATES DISTRICT COURT

Southern

DISTRICT OF

New York

SECURITIES AND EXCHANGE COMMISSION

Plaintiff,

## APPEARANCE

-against-

Case Number: 1:08-cv-07104-DC

BYERS, ET AL.

Defendants.

To the Clerk of this court and all parties of record:

Enter my appearance as counsel in this case for

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I certify that I am admitted to practice in this court.

8.26.08

Date



Signature

Leo V. Gagion

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**AFFIDAVIT OF SERVICE**

I hereby certify that on August 26, 2008, I served the foregoing  
**(1)ENTRY OF APPEARANCE OF LEO V. GAGION** on the following:

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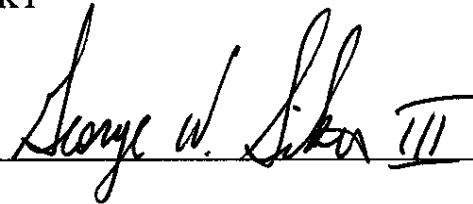
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\_\_\_\_\_

Sworn to before me this  
26<sup>th</sup> day of August 2008

  
\_\_\_\_\_

NOTARY PUBLIC

**CECIL S. ASHDOWN**  
NOTARY PUBLIC, State of New York  
No. 01AS6070058  
Qualified in New York County  
Certified in New York County  
Commission Expires February 19, 2010